



Palmetto Nurse

South Carolina Board of Nursing

Vol3 • No 3



celebrate NURSING

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SPRING 2008

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Mission of the Board: The mission of the State Board of Nursing for South Carolina is the protection of public health, safety, and welfare by assuring safe and competent practice of nursing.

This mission is accomplished by assuring safe initial practice as well as continuing competency in the practice of nursing and by promoting nursing excellence in the areas of education and practice. The Board licenses qualified individuals as licensed practical nurses, registered nurses or advanced practice registered nurses. Complaints against nurses are investigated and disciplinary action taken when necessary. Schools of nursing are surveyed and approved to ensure quality education for future nurses.

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The Palmetto Nurse is published quarterly by the South Carolina Board of Nursing. Each issue is distributed to every actively licensed LPN, RN, APRN, as well as to nurse employers and nurse educators. Nurses, students, and professionals from healthcare organizations turn to this publication for updates on clinical practices, information on government affairs initiatives, to discover what best practices are being implemented, and for insight into how healthcare providers are facing today's challenges.

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Congressional District 1

Vacancies —[See Section 40-33-10(A)
of the Nurse Practice Act]
Registered Nurse - Congressional
District 4

Licensed Practical Nurse - Region I
(Congressional Districts 1, 2, & 3)
One Public Member

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ADVERTISING

Reach a highly targeted market of licensed nurses at all levels of practice, nursing students, as well as healthcare employers, educators, and regulators.

Present your message in a well-read, professional publication tailored directly to those involved in healthcare.

Gain name recognition in the primary care community.

Advertisements contained herein are not necessarily endorsed by the South Carolina Department of Labor, Licensing and Regulation - Board of Nursing. The publisher reserves the right to accept or reject advertisements for the Palmetto Nurse.

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OFFICE LOCATION/HOURS OF OPERATION

The Board of Nursing is located at Synergy Business Park, Kingstree Building, 110 Centerview Drive, Suite 202, Columbia, SC 29210. Directions to our office can be found on our Web site — www.llr.state.sc.us/pol/nursing/

Our mailing address is LLR - South Carolina Board of Nursing, Post Office Box 12367, Columbia, SC 29211-2367.

Our normal business hours are 8:30 a.m. to 5:00 p.m., Monday through Friday. Our offices are closed for holidays designated by the State.

DESIGNATED STATE HOLIDAYS FOR REMAINDER OF 2008

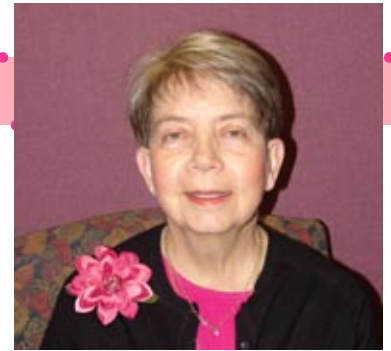
May 26	National Memorial Day
July 4	Independence Day
September 1	Labor Day
November 11	Veterans Day
November 27 - 28	Thanksgiving Day
December 25 - 26	Christmas

VISIT US ON OUR WEB SITE: www.llr.state.sc.us/pol/nursing/

The Board of Nursing Web site contains the Nurse Practice Act, Regulations, Compact Information, Advisory Opinions, Licensee Lookup, Disciplinary Actions, and other information.

From the Desk of the ADMINISTRATOR

By: Joan K. Bainer, RN, MN, CNA BC, Board Administrator



HAPPY NURSES WEEK

Many nurses in South Carolina have heard the joyous words “Happy Nurses Week” for more than 50 years and some for less than 50 years. Some of you are new graduates and this is your very first time hearing those congratulatory words.

Regardless of the number of years you have been practicing, every year brings new excitement and opportunity for every nurse to maximize his/her potential related to patient care and all areas of nursing practice. All of you are leaders in your own nursing practice, and it is your responsibility to plan your professional development.

Be sure to utilize the tools, such as Advisory Opinions, Chart on Lines, Tubes and Devices, that the board has provided for you on our Web site at www.llr.state.sc.us/pol/nursing/.

The best of luck to you until the next “Nurses Week,” and be sure to celebrate being a nurse!

Legal Aspects of Nursing Workshop



In spring 2005, the Board of Nursing asked its staff to provide a Legal Aspects of Nursing Workshop periodically that would assist nurses required to complete

the workshop to comply with a disciplinary order or to complete the workshop for reinstatement of their licenses. The workshop is offered free of charge as a

courtesy to our nurses. The workshop is also used in the Practitioner Remediation and Enhancement Partnership (PREP) program and by employers as an educational tool. The three-hour workshop is offered monthly in the Board's offices. No continuing education credits are granted for this course.

If the dates below do not meet your schedule, you can find a list of the other Legal Aspects of Nursing Workshops approved by the Board on the Competency Requirement Criteria located under Licensure on our Web site- www.llr.state.sc.us/pol/nursing/.

The registration form for the workshop can be found on the Board's Web site under Applications/Forms. The form includes directions to our offices. The completed form can be mailed to Legal Aspects Workshop, LLR – Board of Nursing, P.O. Box 12367, Columbia, SC 29211, or sent by fax to Legal Aspects Workshop at 803-896-4525. If you have questions on registering for the Legal Aspects of Nursing Workshop, contact Dottie M. Buchanan, Assistant to the Administrator, at 803-896-4533.

Legal Aspects for Remainder of 2008

May 07, 2008

June 18, 2008

July 09, 2008

August 13, 2008

September 10, 2008

October 08, 2008

November 05, 2008

December 03, 2008

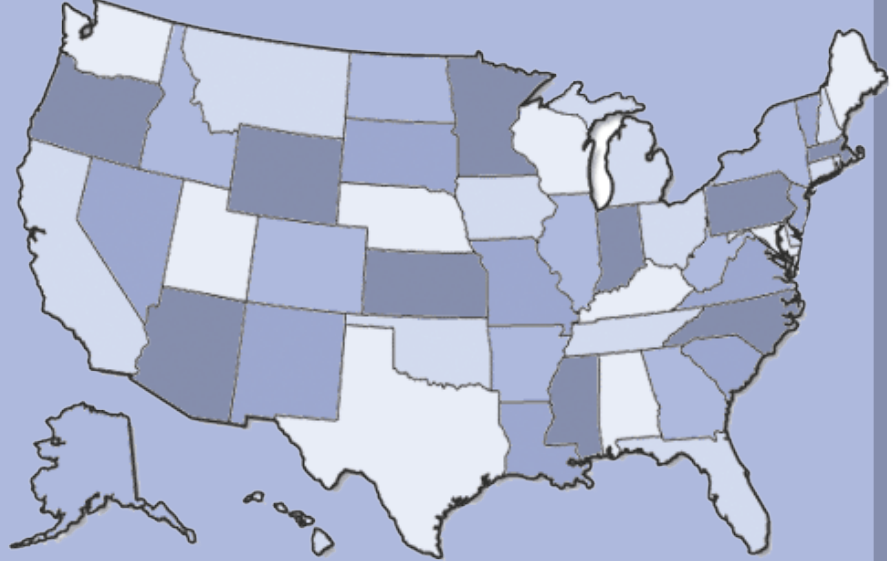


NURSE LICENSURE COMPACT UPDATE

South Carolina joined the Nurse Licensure Compact (Compact) in 2005. Rhode Island will become part of the Compact on July 1, 2008.

More information on the Compact can be found on the Board's Web site (www.llr.state.sc.us/pol/nursing/) under Board News.

Visit the National Council of State Boards of Nursing (NCSBN) Web site (www.ncsbn.org) for updates as more states join and implement the Compact.





DID YOU KNOW . . .

LPN s - that the role of the LPN is described in the Advisory Opinions located on the Board's Web site under laws at least 13 times? You can make copies and utilize them in your practice.

RNs - that only the Registered Nurse can assess a patient and formulate the plan of care? The LPN can gather data and share with the Registered Nurse. The LPN can certainly sign the plan of care as the LPN is part of the team.

APRNs - that new legislation was recently passed noted as H3631? This bill amends Section 40-33-34 (B)(4) of the 1976 Code, as added by Act 225 of 2004 and is amended to read:

“(d) must be signed by the NP, CNM, or CNS with the prescriber’s identification number assigned by the board and all prescribing numbers required by law. The prescription form must include the name, address and phone number of the NP, CNM, CNS and physician and must comply with the provisions of section 39-24-40. A prescription must designate a specific number of refills and may not include a nonspecific refill indication.”

HAVE YOU MOVED?



Section 40-33-38 (C) of the South Carolina Nurse Practice Act requires that all licensees notify the Board in writing within 15 days of an address change. So that you do not incur disciplinary action or miss important time sensitive information, such as your renewal notice and audit notice or other important licensure information, please be sure to notify the Board immediately whenever you change addresses. You may change your address on-line utilizing the address change form under Online Services found on the Board's Web site: www.llr.state.sc.us/pol/nursing/.

BOARD VACANCIES



There are currently three vacancies on the Board of Nursing. Members serve terms of four years and until their successors are appointed and qualify. Board members must be appointed by the Governor with the advice and consent of the Senate.

When appointing members to the Board of Nursing, the Governor will give consideration to include a diverse representation of principal areas of nursing including, but not limited to, hospital, acute care, advanced practice, community health and nursing education. Registered nurse and licensed practical nurse members must be licensed in South Carolina, must be employed in nursing, must have at least three years of practice in their respective professions immediately preceding their appointment, and must reside in the district they represent.

The first vacancy on the Board is for the Registered Nurse (RN) representative from Congressional District 4. The second vacancy is for the Licensed Practi-

cal Nurse (LPN) representative for Region I. Region I includes Congressional Districts 1, 2, and 3. There is also a vacancy for a lay member. Lay members represent the public at large as a consumer of nursing services and may not be licensed or employed as a health care provider. No board member may serve as an officer of a professional health-related state association.

An individual, group, or association may nominate qualified persons and submit them to the Governor for consideration. Vacancies must be filled for the unexpired portion of a term by appointment of the Governor. If you are interested or someone you know is interested in one of these positions on the Board of Nursing, submit a letter of request, along with a resume or curriculum vitae to Boards and Commissions, Governor's Office, Post Office Box 11829, Columbia, SC 29211. If you are not sure of your congressional district, go to http://www.scvotes.org/check_your_voter_registration.



ATTENTION CHECK WRITERS!!!

THE DEPARTMENT OF LABOR,
LICENSING AND REGULATION –
BOARD OF NURSING - GLADLY
ACCEPTS YOUR CHECKS.

WHEN YOU PROVIDE A CHECK AS
PAYMENT, YOU AUTHORIZE US
TO USE INFORMATION FROM THE
CHECK TO MAKE A ONE-TIME ELEC-
TRONIC FUND TRANSFER FROM
YOUR ACCOUNT, OR TO
PROCESS THE PAYMENT AS A CHECK
TRANSACTION.

YOU AUTHORIZE US TO COLLECT A
FEE THROUGH ELECTRONIC FUND
TRANSFER FROM YOUR ACCOUNT IF
YOUR PAYMENT IS RETURNED UN-
PAID.

NCLEX REGIONAL WORKSHOP

As a part of outreach activities of the NCLEX Examinations Department, the National Council of State Boards of Nursing (NCSBN) staff sponsored a board of nursing regional workshop on February 15, 2008, regarding the National Council Licensure Examination (NCLEX). South Carolina was only the third state in the nation to sponsor this workshop. The other states who have sponsored this event are Minnesota and Mississippi.

The workshop was co-sponsored with the South Carolina Council of Deans and Directors of Nursing Education. Midlands Technical College hosted the event at its airport campus. Janet (Jana) Ancone accepted certificates of appreciation on behalf of the Council of Deans and Directors of Nursing Education and Midlands Technical College.

The workshop was a one-day event for the purpose of providing information to educators preparing students to take the NCLEX examination. Nursing educators from across the state, representing all Board-approved programs, participated in the workshop.

This was a great opportunity to bring this national offering to South Carolina and for our nurse educators to meet and interact with the NCSBN staff directly involved with the NCLEX examination and testing process.



POLICY ON CIVIL PENALTIES FOR UNAUTHORIZED NURSING PRACTICE

Recently the Board of Nursing revised the policy statement on civil penalties and sanctions for unauthorized nursing practice. Civil penalties for failure to comply with basic nursing licensure and advanced practice of nursing to include prescriptive authority (and notification of change in practice) have been revised. The following is the policy of the Board as revised on April 19, 2007.

POLICY:

All licensure applications are reviewed for compliance with the mandatory authorization provisions of Sections 40-33-38 and 40-33-40 South Carolina Code of Laws, 1976, as amended. Applicants or licensees found to have practiced nursing as defined in Sections 40-33-20 (43), (46), (47), (48), without a current South Carolina authorization to practice as required in Section 4033-30 are subject to disciplinary action. By consent agreement, the applicant may accept sanctions as established by the Board.

PROCEDURE:

The Responsible Board Staff Member:

1. Queries applicant / employer to determine if there has been unauthorized nursing practice.
2. If no violation and the continued competency requirement has been met, approves the application authorizing a license to be issued.
3. If violation is documented negotiates a consent agreement for sanctions according to the following guidelines established by the Board.
4. Stated penalties below are the minimum amounts staff may accept in negotiating consent agreements. Required personal appearances before the Board may not be waived except in unusual situations upon recommendation of the Board Administrator and approval of the President or designee, in their discretion, in order to avoid inappropriate hardship or manifest injustice.
5. The Board is provided for review a list of names, number of days practicing without a license and civil penalty assessed.

I. Basic Licensure [Licensed Practical Nurse (LPN), Registered Nurse (RN), Advanced Practice Registered Nurse, (APRN)]

A. Unauthorized Nursing Practice - First Offense

1. Private Reprimand
2. Civil Penalty
 - a. 1 to 30 calendar days \$250
 - b. 31 to 60 calendar days \$500
 - c. 61 to 120 calendar days \$750
 - d. 120 to 365 calendar days \$1,000 Personal appearance may be required at the discretion of the Board President.
 - e. Greater than 365 calendar days \$2,000 Personal appearance may be required at the discretion of the Board President.

B. Unauthorized Nursing Practice - Second Offense

1. Public Reprimand
2. Civil Penalty
 - a. 1 to 30 calendar days \$ 750
 - b. 31 to 60 calendar days \$1,000
 - c. 60 to 120 calendar days \$1,500
 - d. 120 to 365 calendar days \$2,000 1 year probation, quarterly employer reports, legal aspects workshop, and personal appearance may be required at the discretion of the Board President.
 - e. Greater than 365 calendar day Board appearance required. Civil penalty and sanction to be determined by the Board.

C. Unauthorized Nursing Practice - Third or Greater Offense: Application must be presented to the Board for resolution. Personal appearance before the Board by the applicant/licensee is required

II. Failure to Notify Change of Practice within 15 days- Advanced Practice Registered Nurse

1. Private Reprimand
2. Civil Penalty
 - a. 15-30 calendar days \$ 500
 - b. 31-60 calendar days \$ 750
 - c. 61-90 days \$1,000
 - d. Beyond 90 calendar days Board review (personal appearance required)

III. Prescriptive Authority - Advanced Prac-

tice Registered Nurse

A. Failure to Register / Renew - First Offense

1. Private Reprimand
2. Civil Penalty
 - a. 1-30 calendar days \$500
 - b. 31-60 calendar days \$1,000
 - c. Beyond 60 calendar days Board review (personal appearance required)

B. Failure to Renew - Second Offense

- 1 Public Reprimand
- 2 Civil Penalty \$2,000 (Note: If second offense occurs within a five-year period, the nurse must reapply for Advanced Practice Registered Nurse Licensure

C. Failure to Renew - Third or greater offense- Application must be presented to the Board for resolution. Personal appearance before the Board by the applicant/licensee is required. Revised by the Board on 04/19/07

Disciplinary Actions

POSTED ON WEB SITE
IN JANUARY 2008

POSTED ON WEB SITE
IN FEBRUARY 2008

POSTED ON WEB SITE
IN MARCH 2008

Deborah Elaine Autry, RN

Sarah Mae Bernson, RN

Rosilyn Lydia Brown, LPN

Jennifer G. Carter, RN

Cynthia Anne Faulkenberry, RN

Deborah Jo Gresham, RN

Rosemary Higham, RN

Wanda M. Johnson, RN

Tammy C. McAbee, RN

Sandra W. McCord, LPN

Cindy L. McCune, LPN

Connie Lynn McIvor, LPN

Terrian Miller, LPN

Cathy C. Milliken, RN

Ashley Lynn Moore, RN

Kelly A. Moore, LPN

Florence Igescho Ngwe, RN

Kelly Ann Ott, LPN

Angela L. Johnston, RN

Kathleen F. Keith, RN

Catherine Kennedy Powers, RN

Merissa Dawn Pruitt, RN

Bonnie K. Ray, RN

Lee Ann Ray, RN

Frances E. Reavis, RN

Peggy J. Sexton, RN

Melissa Gwyn Smith, LPN

Johnna Cecilia Stinsman, RN

Kim M. Stone, RN

Sara L. Tumblin, LPN

Melissa Jane Venegas, RN

Ronda Peters Welchel, RN

Lisa L. Yancey, LPN

Lisa M. Arnette, RN

Felicia D. Callihan, RN

Richard S. Cates, RN

Julia K. Duffey, RN

Michelle L. Fancher, RN

Retha A. Green-Smith, RN

Jacquelyn Lyn Harris, RN

Beth Ann Justice, RN

Kelly M. Mahaffey, LPN

Rebecca P. Melton, RN

Richard E. Miller, RN

Edna Marie K. Mims, RN

Albert Lynn Robinson, APRN

William L. Sanders II, RN

Julena Yvette Snell, LPN

Molly C. Stroud, RN

Richard L. Todd, RN

Crystal Christine Whitmire, LPN

Deborah M. Caulder, LPN

Michelle Engelbrecht, RN

Susan Marie Graydon, RN

Ellen E. Hotz, APRN

Christy Nichole Jones, RN

Kandi Erickson Kerton, RN

Janice Manning, LPN

Zondria Lin McKie, RN

Reese J. Purvis Jr., RN

Judy D. Rabon, APRN

Donna Smith, RN

Julena Y. Snell, LPN (Voluntary
Surrender)

Maudie C. Standish, RN

Tasha Renee Young, LPN

Disciplinary actions taken by the South Carolina Board of Nursing are reported to the NURSUS national nursing database, which is maintained by the National Council of State Boards of Nursing and is the verification system utilized by the Board. Disciplinary actions are also reported to the Healthcare Integrity and Protection Data Bank (HIPDB), which is maintained by the federal government. Public disciplinary actions may be viewed on our Web site under Disciplinary Actions.

BOARD and COMMITTEE MEETINGS

Board of Nursing

- July 24-25, 2008
- September 25-26, 2008
- November 20-21, 2008

Advisory Committee on Nursing (ACON)

- June 17, 2008
- August 26, 2008
- October 21, 2008
- December 2, 2008

Advanced Practice Committee (APC)

- August 1, 2008
- November 7, 2008

Nursing Practice & StandardsCommittee (NPSC)

- June 19, 2008
- August 21, 2008
- October 16, 2008
- December 18, 2008



TOOLS OF THE TRADE

When was the last time you went on the Board's Web site? The Board recommends that all nurses visit the Web site (www.llr.state.sc.us/pol/nursing/) at least monthly for up-to-date information on nursing licensure. When a new advisory opinion is issued or a current advisory opinion revised, it is updated on the Web site within two weeks. The Competency Requirement, Competency Requirement Criteria, which includes continuing education contact hours, Licensure information, Advisory Opinions, Position Statements, and the Nurse Practice Act, are just a few of the valuable tools and information you will find on the Web site.

The Advisory Opinions, Position Statements and the Nurse Practice Act are located under Laws/Policies. The Competency Requirement and Competency Requirement Criteria, which includes continuing education contact hours, are located under Licensure.

The Board hopes you will find this information useful in your nursing practice.



PRACTITIONER REMEDIATION AND ENHANCEMENT PARTNERSHIP

(In Lieu of Discipline)

At its September 2004 meeting, the South Carolina Board of Nursing voted to expand the Practitioner Remediation and Enhancement Partnership (PREP) program and offer it to all facilities in the state. This safety initiative, a project of the national organization Citizens Advocacy Center, was formulated shortly after the Institute of Medicine's (IOM) study on safety. The Institute of Medicine's study prompted much interest in healthcare and safety. The Joint Commission on Accreditation of Healthcare Organizations (JCAHO) has written patient care standards which parallel the mission of the PREP program in many ways. The South Carolina Board of Nursing was one of only seven boards of nursing to initially participate in the

program.

The PREP program promotes safe nursing by providing opportunities for early detection of deficits in skills and knowledge before safe nursing care is compromised. It allows nurses with knowledge and skill shortfalls to receive the needed education and training to gain the knowledge and skills required to perform their duties in a safe and effective manner. PREP is congruent with the Board's mission to protect the public.

You may know a nurse who would have benefited from this type of remediation but who was instead disciplined by the Board or was terminated by his or her employer and then moved to another facility. This type of movement between healthcare

facilities does not promote safety and only removes the problem behavior from one healthcare facility to another. PREP is a volunteer program for the participating facility as well as the nurse. It allows the nurse to obtain the needed skills, knowledge and other education activities while remaining in the nursing workforce. Early intervention is the goal of the program, but there are exclusions for PREP participation, such as cases involving:

1) suspected drug diversion, fraud, patient abuse, patient neglect or patient abandonment, financial exploitation of patients, sexual misconduct and other professional boundary violations will not be eligible for participation;

2) licensees with current pending criminal charges will not be eligible for participation;

3) causal connection to serious harm or death will not be eligible for participation;

4) previous history of disciplinary action by any board of nursing will be evaluated on an individual basis to determine eligibility; or

5) employment issues rather than questions of nursing skills or boundaries will not be eligible for participation.

This voluntary alternative to the traditional disciplinary action will serve to enhance healthcare quality by improving information sharing and other forms of cooperation between healthcare providers and regulators. For more information about this free, voluntary program, visit our Web site or contact Board Administrator Joan Bainer at (803) 896-4537. The Board will be pleased to meet with healthcare facilities of any size and any type to discuss participation in this cooperative program and promote safe healthcare in our state.

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Columbia, SC 29211-2367



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